

**A SUBSTITUTE RESOLUTION BY  
TRANSPORTATION COMMITTEE**

**09-R-2143**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATLANTA AND GEORGIA STATE UNIVERSITY TO ALLOW FOR THE INSTALLATION OF A LIGHTED IN-GROUND CROSSWALK SAFETY PROJECT CONSISTING OF TEN STREET FLUSH MOUNTED LIGHTING DEVICES, TWO PEDESTRIAN CROSSING SIGNS AND A RADAR SPEED DETECTING SIGN TO BE INSTALLED AT THE INTERSECTION OF DECATUR STREET AND PIEDMONT AVENUE, AND AN ENHANCED STAMPED PEDESTRIAN CROSSWALK ON COURTLAND STREET APPROXIMATELY 250 FEET SOUTH OF THE COURTLAND STREET AND GILMER STREET INTERSECTION, ALL WITHIN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Board of Regents of the University System of Georgia, by and on behalf of Georgia State University (hereinafter "GSU") desires to install a crosswalk safety project consisting of two pedestrian crossing signs, ten flush mounted lighting devices and a radar speed detecting sign at and within the intersection of Decatur Street and Piedmont Avenue, and an enhanced stamped pedestrian crosswalk on Courtland Street approximately two hundred and fifty (250) feet south of the Courtland Street and Gilmer Street intersection (hereinafter "Project") within the public right-of-way (as depicted in a drawing attached hereto as Exhibit "A"), and

**WHEREAS**, the installation of said Project will be a positive addition to the area; and

**WHEREAS**, GSU has agreed to conform to the conditions set out in the Atlanta City Code of Ordinances at Sections 138-24 and 138-66.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee is authorized, on behalf of the Department of Public Works, to enter into an encroachment agreement with GSU for the purpose of granting to the encroaching party the right to install and the obligation to thereafter maintain the Project in the public right-of-way at the intersection of Decatur Street and Piedmont Avenue and on Courtland Street approximately two hundred and fifty (250) feet south of the Courtland Street and Gilmer Street intersection.

**BE IT FURTHER RESOLVED**, that the plans and specifications for said Project shall be submitted for the review and approval of the Commissioner of Public Works prior to the Project being installed.

**BE IT FURTHER RESOLVED**, that GSU will acquire all necessary permits needed for the installation of the Project.

**BE IT FURTHER RESOLVED**, that GSU shall indemnify the city for any damages to persons or properties resulting from the installation and maintenance of said Project.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an agreement, acceptable as to form, for execution by the Mayor and GSU.

**BE IT FINALLY RESOLVED**, that the agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the agreement has been approved as to form by the City Attorney, signed by the Mayor, executed by the City Clerk, and delivered to GSU.

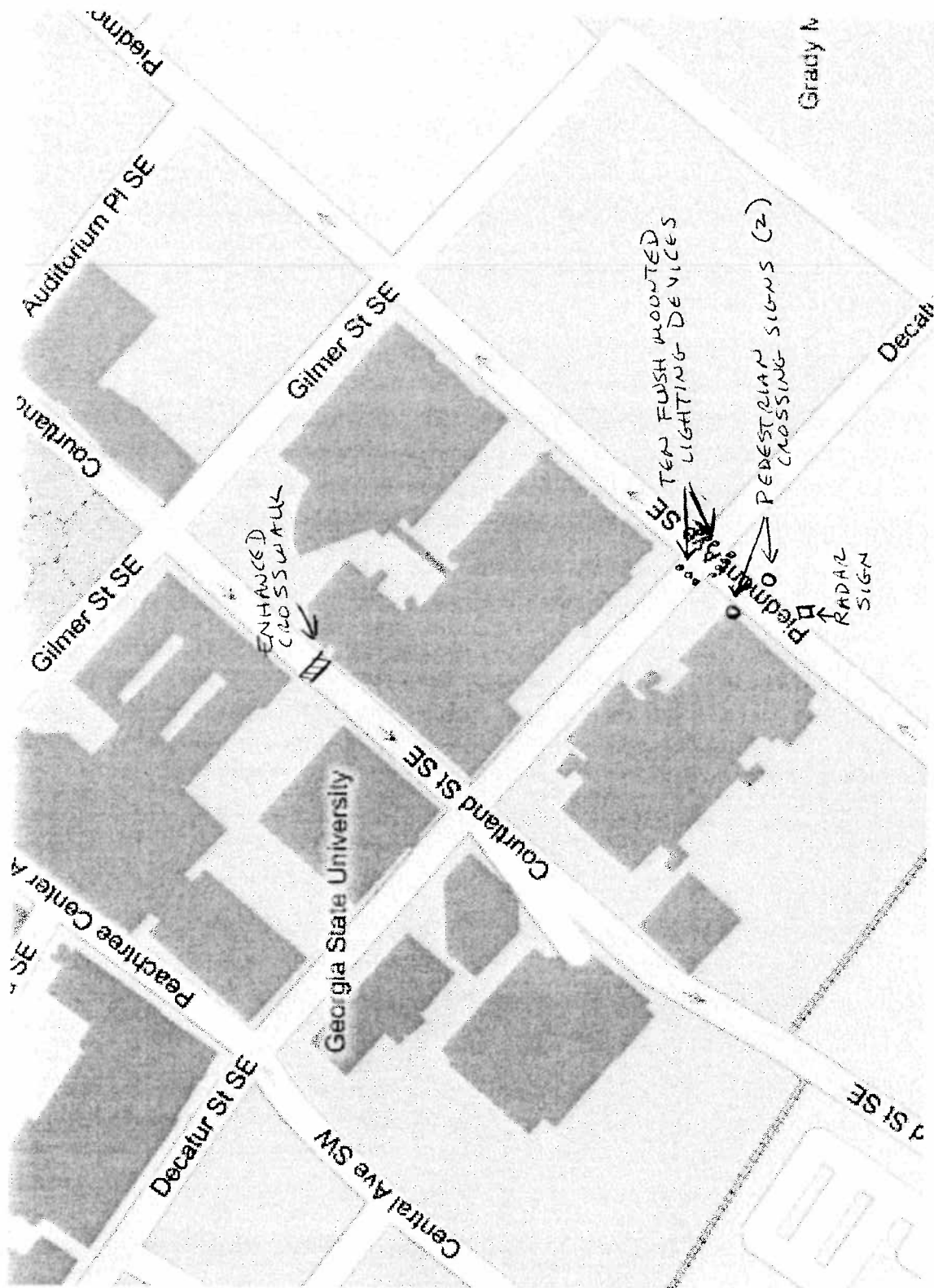


EXHIBIT "A"

**A RESOLUTION BY  
TRANSPORTATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATLANTA AND GEORGIA STATE UNIVERSITY TO ALLOW FOR THE INSTALLATION OF A LIGHTED IN-GROUND CROSSWALK SAFETY PROJECT CONSISTING OF TEN STREET FLUSH MOUNTED LIGHTING DEVICES AND TWO PEDESTRIAN CROSSING SIGNS TO BE INSTALLED AT THE INTERSECTION OF DECATUR STREET AND PIEDMONT AVENUE WITHIN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Board of Regents of the University System of Georgia, by and on behalf of Georgia State University (hereinafter "GSU") desires to install a crosswalk safety project consisting of two pedestrian crossing signs and ten flush mounted lighting devices (hereinafter "Project") at and within the intersection of Decatur Street and Piedmont Avenue within the public right-of-way (as depicted in a drawing attached hereto as Exhibit "A"); and

**WHEREAS**, the installation of said Project will be a positive addition to the area; and

**WHEREAS**, GSU has agreed to conform to the conditions set out in the Atlanta City Code of Ordinances at Sections 138-24 and 138-66.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee is authorized, on behalf of the Department of Public Works, to enter into an encroachment agreement with GSU for the purpose of granting to the encroaching party the right to install and the obligation to thereafter maintain the Project in the public right-of-way at the intersection of Decatur Street and Piedmont Avenue.

**BE IT FURTHER RESOLVED**, that the plans and specifications for said Project shall be submitted for the review and approval of the Commissioner of Public Works prior to the Project being installed.

**BE IT FURTHER RESOLVED**, that GSU will acquire all necessary permits needed for the installation of the Project.

**BE IT FURTHER RESOLVED**, that GSU shall indemnify the city for any damages to persons or properties resulting from the installation and maintenance of said Project.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an agreement, acceptable as to form, for execution by the Mayor and GSU.

**BE IT FINALLY RESOLVED**, that the agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the agreement has been approved as to form by the City Attorney, executed by the Mayor, attested to by the City Clerk, and delivered to GSU.

EXHIBIT

Aquatic Center and Sports Arena

Pedestrian Crossing Sign (W12)



YOUR SPEED  
42

Piedmont Avenue

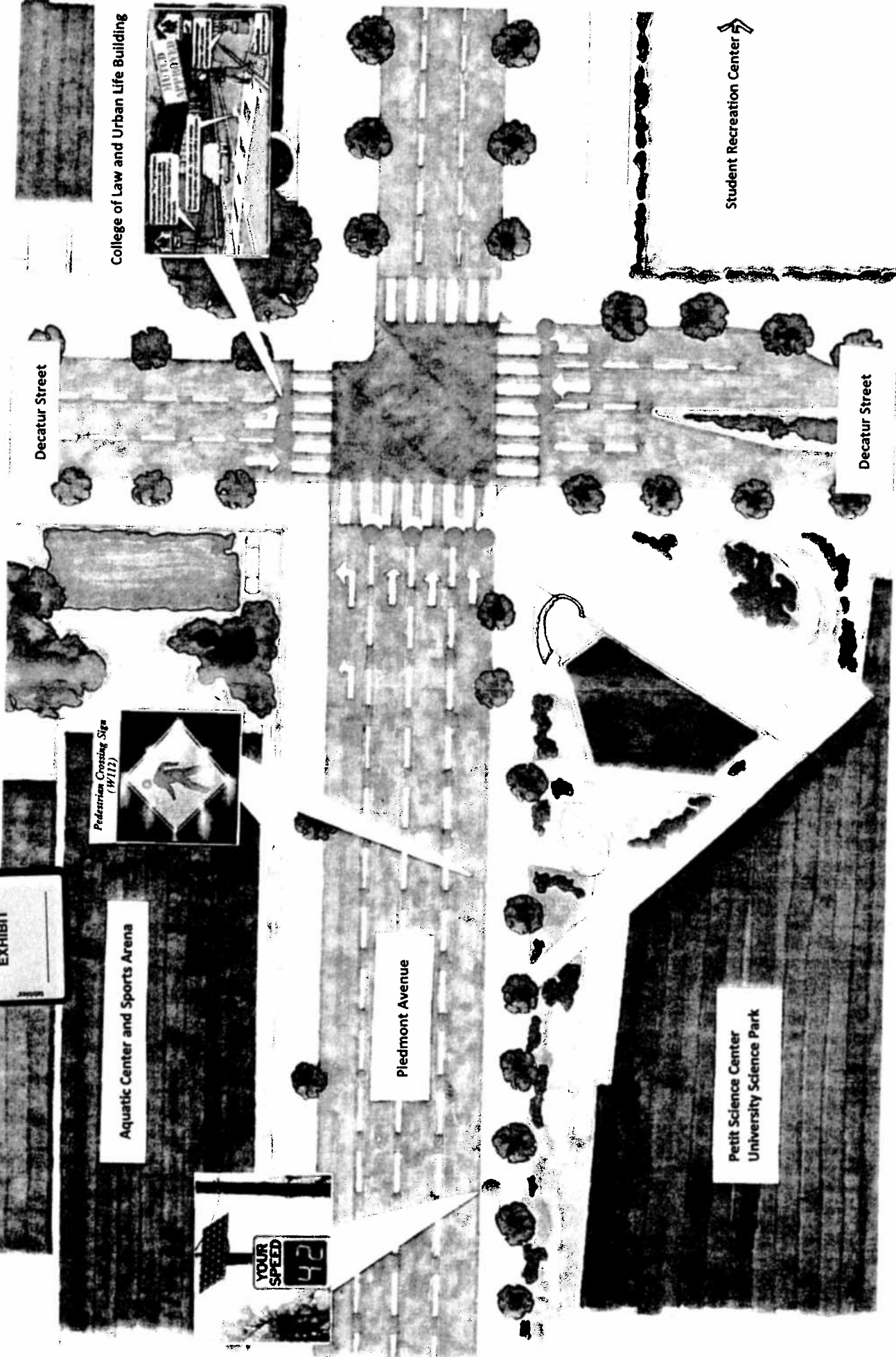
Decatur Street

Decatur Street

Petit Science Center  
University Science Park

Student Recreation Center

College of Law and Urban Life Building



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Transportation Committee**

**Caption: A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATLANTA AND GEORGIA STATE UNIVERSITY TO ALLOW FOR THE INSTALLATION OF A LIGHTED IN-GROUND CROSSWALK SAFETY PROJECT CONSISTING OF TEN STREET FLUSH MOUNTED LIGHTING DEVICES AND TWO PEDESTRIAN CROSSING SIGNS TO BE INSTALLED AT THE INTERSECTION OF DECATUR STREET AND PIEDMONT AVENUE WITHIN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.**

**Council Meeting Date: December 7, 2009**

**Requesting Dept.: Department of Public Works**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to enter into an Agreement with Georgia State University for the installation of crosswalk safety features consisting of ten street flush mounted lighting devices and pedestrian crossing signs at the intersection of Decatur Street and Piedmont Avenue within the public right-of-way.

**2. Please provide background information regarding this legislation.**

Georgia State University would like to install a lighted in-ground crosswalk safety project consisting of ten (10) street flush mounted lighting devices and two (2) pedestrian crossing signs to be installed at the intersection of Decatur Street and Piedmont Avenue within the public right-of-way. They have agreed to maintain the ten street flush mounted lighting devices and two pedestrian crossing signs.

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

- (b) Source Selection:**
- (c) Bids/Proposals Due:**
- (d) Invitations Issued:**
- (e) Number of Bids:**
- (f) Proposals Received:**
- (g) Bidders/Proponents:**
- (h) Term of Contract:**

**4. Fund Account Center:**

**5. Source of Funds:**

**6. Fiscal Impact:**

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:**



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Katrina White

Contact Number: (404) 330-6216

Originating Department: Department of Public Works

Committee(s) of Purview: Transportation Committee

Chief of Staff Deadline: November 17, 2009

Anticipated Committee Meeting Date(s): December 2, 2009

Anticipated Full Council Date: December 7, 2009

Legislative Counsel's Signature: Saul Schultz

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: \_\_\_\_\_

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATLANTA AND GEORGIA STATE UNIVERSITY TO ALLOW FOR THE INSTALLATION OF A LIGHTED IN-GROUND CROSSWALK SAFETY PROJECT CONSISTING OF TEN STREET FLUSH MOUNTED LIGHTING DEVICES AND TWO PEDESTRIAN CROSSING SIGNS TO BE INSTALLED AT THE INTERSECTION OF DECATUR STREET AND PIEDMONT AVENUE WITHIN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: [Signature] 11/18/09 Reviewed by: [Signature]  
(date) (date)

Submitted to Council: \_\_\_\_\_